

Entered - 1-14-10 sb

CL 10L0019 - GWENDOLYN BURNS

10- R -0249

CLAIM OF: **SANKAN NYANSEOR**  
2705 Mall of Georgia Boulevard, #124  
Buford, Georgia 30519

For vehicular damages alleged to have been sustained after driving over a pot hole on November 12, 2009 at 1300 Chattahoochee Avenue, NW.

BY **PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **SANKAN NYANSEOR** the sum of **\$1,845.57** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained after driving over a pot hole on November 12, 2009 at 1300 Chattahoochee Avenue, NW as is more particularly set forth in the within claim; said sum taken from and charged to account **1001/200101/5212005/1512000**.

APPROVED: **ROGER BHANDARI**  
ACTING CITY ATTORNEY

BY:

  
JERRY L. DELOACH

DEPUTY CITY ATTORNEY

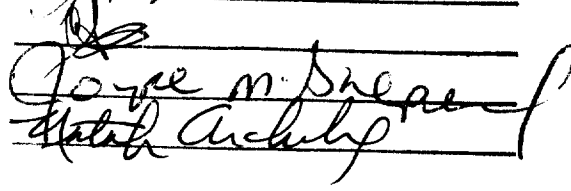
**FAVORABLE REPORT**

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 2/9/10

CHAIR: 

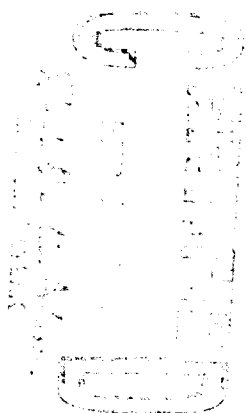
  
Joyce M. Sheppard

  
Hilda Archibald



ADOPTED BY  
FEB 15 2010  
COUNCIL

FEB 15 2010





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**10-R-0249**

**A RESOLUTION**

**BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **Sankan Nyanseor** the sum of **\$1,845.57** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained as a result of **driving over a pothole on November 12, 2009 at 1300 Chattahoochee Avenue NE** as is more particularly set forth in the within claim; said sum taken from and charged to Account **1001/200101/5212005/1512000**.

A true copy

Deputy Clerk

**ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed**

**FEB 15, 2010  
FEB 22, 2010**

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 10L0019

Date: January 25, 2010

Claimant /Victim SANKAN NYANSEOR  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 2705 Mall of Georgia Boulevard, Buford, Georgia 30519  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,897.78 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 1/11/09 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 \_\_\_\_\_ X Ante Litem (6 Mo.) \_\_\_\_\_ X  
Date of Occurrence 11/12/09 Place: 1300 Chattahoochee Avenue, NW  
Department PUBLIC WORKS Bureau: \_\_\_\_\_ Office: Transportation Services  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant sustained vehicular damages when she drove over a pot hole in the road at the above-location. An investigation has determined that the City was on notice of a defect problem prior to the date of the claimant's incident but failed to properly repair the area.

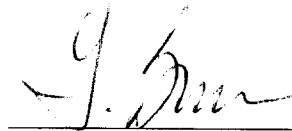
**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other X  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,



INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 1,845.57 Adverse \_\_\_\_\_ Account charged: General Fund X Water & Sewer \_\_\_\_\_ Aviation \_\_\_\_\_  
Claims Manager: \_\_\_\_\_ Concur/date 01/26/10  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RECEIVED  
OFFICE OF  
MUNICIPAL CLERK

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK

City Hall  
55 Trinity Avenue, SW  
Atlanta, Georgia 30303

RE: CLAIM FOR DAMAGES  
2010 JAN 11 PM 12:43  
Today's Date: 1/11/10

ENTERED - 1-14-10 - SB  
10L0019 - G. BURNS

BURNS  
01/13/10  
JK

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 1,877.78 property and/or \$ — bodily injury for which I contend the City is liable.

1. Date of incident: 11/12/09 2. Time of incident: 11:30p 3. Police called: No  
4. Location of incident (including street address): 1300 Chattahoochee Ave NW, Atlanta, GA 30318  
5. Name of your insurance company: Liberty Mutual Policy No. A02-258-343144-70 8  
6. State what and how incident occurred: Please see attachment.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle.

Your vehicle: 2004 Saturn Ion BFK 9313 Sankar Nyanseor  
(Make) (Year) (Tag Number) (Driver's Name)  
City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Dimetrius Johnson  
10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).  
11. Claims must be received within 6 months from the date of the event.

I HEREBY SWEAR OR AFFIRM THAT THE  
ABOVE INFORMATION IS TRUE AND  
CORRECT.

Sankar Nyanseor  
Signature of Claimant

Sankar Nyanseor  
(Print Claimant's Name)

2705 Mall of GA Blvd Apt. 124  
(Address)

Buford, GA 30519  
(City, State and Zip Code)

(404) 788-0153  
(Work Number) (Home Number)

10- R -0249

RCS# 70  
2/15/10  
2:39 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	NV Sheperd	NV Mitchell

CONSENT I